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The Examiner is respectfully reminded of the requirements of a proper restriction, as set forth in MPEP § 803:

- (A) The inventions must be independent or distinct as claimed; and
- (B) There must be a serious burden on the examiner if restriction is not required.  
(emphasis added)

While the claims of Groups I and II are patentably distinct, it is submitted that a thorough search of the claims of either group will likely reveal art relevant to the examination of the claims of the other group. Thus, a search of the claims of Group I, directed to a conjugate or method of treating a cardiovascular disease using a peptide selected from SEQ ID NOS: 2, 3, 4, 9, or 10, will necessarily reveal information relevant to the examination of the claims of Group II and, therefore, division of the claims into these groups would result in duplicative searches. Therefore, examination of the claims of Group I with the claims of Group II together should not be an undue burden on the Examiner.

It is respectfully submitted that the restriction is improper because there would not be a serious burden on the Examiner if restriction were not required, because a thorough search of the art relating to the claims of Group I, containing claims 1 and 3-8, would also reveal art relevant to the claims of Group II, directed to a conjugate comprising a peptide of any length or a length less than 100 amino acids. Accordingly, Applicants respectfully request rejoinder of Group II with elected Group I.

The Examiner is invited to contact the undersigned attorney if there are any questions related to this application.

Respectfully submitted,



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